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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,788	12/29/2000	Yat H. Chan	1662-32800 (P00-3347)	8778

22879 7590 03/21/2005

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EXAMINER

DU, THUAN N

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/751,788

Applicant(s)

CHAN ET AL.

Examiner

Thuan N. Du

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment (dated 11/29/04).
2. Claims 1-16 are presented for examination.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 14-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 14 recites "said static random access memory connected to and powered by a system power supply which remains active whenever AC power is supplied to the computer system." First of all, it is not clear whether "which" refers to the random access memory or the power supply. Secondly, it is not clear whether the phrase "whenever AC power is supplied to the computer system" refers to the system is ON or OFF.

Claim Rejections - 35 USC § 103

7. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admission of prior art [AAPA] and Yamauchi et al. [Yamauchi] (U.S. Patent No. 5,835,952).

8. Regarding claims 9 and 10, AAPA teaches a system substantially as claimed comprising:
dynamic random access memory [application's specification, p. 1, lines 22-25];
initialization memory (ROM) containing initialization code for initializing the dynamic random access memory at system startup [application's specification, p. 2, lines 4-5], and
a memory (processor's registers) functional at system startup for storing variable used for initializing the dynamic random access memory [application's specification, p. 2, lines 8-12].

AAPA does not explicitly teach that the memory used for storing variable is a static random access memory (SDRAM).

Yamauchi teaches a system for executing codes including an additional SDRAM coupled to a CPU [Fig. 6]. Yamauchi discloses that either SRAM or processor's registers could be used without departing from the scope of the invention [col. 9, lines 13-15].

One of ordinary skill in the art would have recognized that the SRAM could be used in place of the processor's registers or vice versa depends on the need of the system, i.e. when cost need to be reduced, processor's register could be used instead of an additional SRAM, however, when space is needed for executing codes, additional SRAM is needed. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of AAPA to include an additional SRAM used when executing codes as taught by Yamauchi when space is needed for executing codes.

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9. Regarding claim 11, one of ordinary skill in the art would have recognized that SRAM could be used for executing any program codes beside initialization code to avoid the wasting of hardware.

10. Regarding claims 12 and 13, one of ordinary skill in the art would have recognized that in order to use SRAM for executing codes stored in ROM (initialization memory), the SRAM is obviously assigned address overlaying a portion of the address space assigned to the ROM, otherwise the SRAM could not be cooperated with the ROM to execute the codes stored in ROM.

Allowable Subject Matter

11. Claims 1-8 allowed.

12. Claims 14-16 would be allowable when the above 112 rejections are overcome.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday and Wednesday-Friday: 9:30 AM - 8:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (571) 272-3670.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (703) 872-9306.

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14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

A handwritten signature in black ink, appearing to read 'Thuan N. Du', with a long, sweeping horizontal line extending to the right.

Thuan N. Du
March 17, 2005